

REQUEST FOR COURT ACTION / DIRECTION

TO: Mr. James Molinelli
Miscellaneous Clerk

07 CRIM 205
OFFENSE: Possess with Intent to
Distribute Five Kilograms or more of Cocaine,
U.S.C. 846 & 841 (b)(1)(A)] a class 'A' felony

ORIGINAL SENTENCE: Forty-six months (46)
incarceration followed by forty-eight (48) months of
supervised release.

FROM: Esteban Montañez
U.S. Probation Officer

SPEC. CONDITIONS: The defendant shall
participate in a program for treatment of narcotic
addiction or drug or alcohol dependency. The
program may include testing for the detection of
substance use or abuse. Further, the defendant shall
be required to contribute to the costs of services for
such treatment not to exceed an amount determined
reasonable by the Probation Officer's Sliding Scale
for Substance Abuse Treatment Services; Should the
defendant be deported, he shall not be allowed to re-
enter the United States without the express
permission of the Department of Homeland Security.

AUSA: James C. Preston, Jr (Middle District
Florida/Tampa Division)

RE: Fernando Medina
Docket # 8:03-CR-339-T-
24MSS(Middle District
Florida/Tampa Division)

DATE OF SENTENCE: March 11, 2004

DATE: July 23, 2007

ATTACHMENTS: PSI ☒ JUDGMENT ☒ PREVIOUS REPORTS
VIOLATION PETITION

REQUEST FOR: WARRANT ☐ SUMMON ☐ COURT DIRECTION ☒

TRANSFER OF JURISDICTION AND REQUEST TO SELF DEPORT

Reference is made on the above mentioned offender who, on March 11, 2004, was sentenced by the Honorable Susan C. Bucklew, US District Judge for the Middle District of Florida, to forty-six months incarceration followed by forty-eight months of supervised release.. A \$100 special

assessment fee (paid in full on December 29, 2006) and drug aftercare were imposed. Medina was convicted of Conspiracy to Possess with Intent to Distribute Five Kilograms or more of Cocaine, in violation of 21 U.S.C. 846 & 841 (b)(1)(A), a class 'A' felony.

This case came into the Southern District of New York on December 29, 2006 due to his residency in this district.

The purpose of this correspondence is two-fold, to request that jurisdiction be transferred to the Southern District of New York; and that Medina be allowed to self-deport to his native country, the Dominican Republic. This request is based on the fact that Medina never lived in Florida and this conviction was based on Medina traveling only to engage in a drug transaction. Also, Medina has expressed his desire to self-deport. Inevitably, BICE will proceed with deportation action, it is prudent to allow Medina to self-deport so BICE does not have to incur the expense of deporting him.

On July 2, 2007, the sentencing district forwarded this office the needed Probation Form 22, with the sentencing judges signature, agreeing to a transfer of jurisdiction.

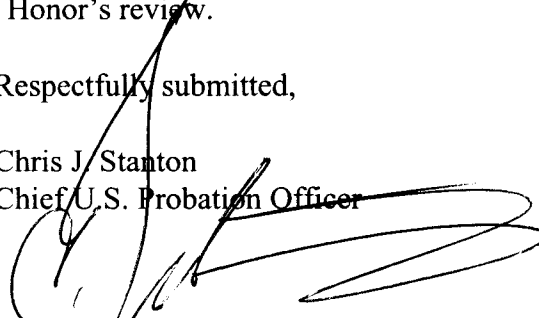
In light of the aforementioned circumstances, we are requesting that jurisdiction be transferred and Medina be allowed to self-deport to the Dominican Republic. We will contact BICE and inform them of Medina's intent with the corresponding travel itinerary.

Enclosed is a Transfer of Jurisdiction Order for Your Honor's review.

Respectfully submitted,

Chris J. Stanton
Chief U.S. Probation Officer

By:



Esteban Montañez
U.S. Probation Officer
212-805-0040 ext. 5073

Approved By:



SUSPO

7/23/07

Date: